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PATENT

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Date:

18 Mar 2002

By:

*Ulad. Ukr*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Jay D. Kranzler et al.

Serial No.: 10/028547

Examiner: Not yet assigned

Filed: December 19, 2001

Art Unit: Not yet assigned

For: **METHODS OF TREATING FIBROMYALGIA SYNDROME, CHRONIC FATIGUE SYNDROME AND PAIN**

Commissioner for Patents  
Washington, D.C. 20231

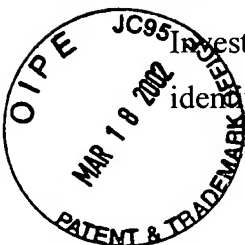
**DECLARATION UNDER 37 CFR §1.132**

Sir:

The undersigned, Jay D. Kranzler and Srinivas G. Rao, do hereby declare and state that:

1. We are the named inventors of the subject matter described and claimed in the above-identified application.
2. We are co-authors of the Cypress Investor Fact Sheet dated August 2001.
3. The Investor Fact Sheet describes subject matter disclosed in the above-identified application.

4. We are the sole inventors of the subject matter disclosed in the Investor Fact Sheet and the above-identified application.
5. Certain employees of Cypress Bioscience, Inc., under our direction and supervision, prepared this Investor Fact sheet.
6. The employees of Cypress Bioscience, Inc. involved in the preparation of this Investor Fact sheet are not co-inventors of subject matter described in the above-identified application.



### Declaration

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1/29/02

Date: 1/29/02

Jay D. Kranzler  
Jay D. Kranzler

Srinivas G. Rao  
Srinivas G. Rao